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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
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12 UNITED STATES OF AMERICA,) CR No: 07-0732-SI
13) CR MISC. NO.: 03-271-MMC
14 Plaintiff,)
15 v.) UNSEALING APPLICATION AND
16 BARRY BONDS,) PROPOSED ORDER
17 Defendant.)

18 The United States, by and through Joseph P. Russoniello, United States Attorney, and
19 Jeffrey D. Nedrow, Assistant United States Attorney, hereby moves the Court for an order
20 unsealing the immunity order served upon Barry Bonds in connection with his 2003 grand jury
21 testimony in the Balco grand jury investigation. The United States had previously requested
22 sealing of this order because at the time the immunity order was signed, disclosure of the
23 appearance of this individual before the grand jury would have been inappropriate as a grand jury
24 matter and would have substantially impaired the criminal investigation. As the defendant's
25 appearance and testimony before the grand jury has long been public knowledge, the government
26 no longer has an investigative need in maintaining secrecy with respect to the appearance of this

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witness before the Balco grand jury.

The immunity order for Barry Bonds was captioned under CR MISC. NO.: 03-271. The government respectfully requests that this unsealing order pertain only to the order for Barry Bonds, as other matters may have been lodged under this file number which are not, at this time, appropriate for disclosure.

DATED: February 9, 2009

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
 MATTHEW A. PARRELLA
 JEFFREY D. NEDROW
 JEFFREY R. FINIGAN
 J. DOUGLAS WILSON
 Assistant United States Attorneys

ORDER

In light of the government's motion, and for the reasons stated therein, the immunity order for Barry Bonds filed under criminal number CR MISC. NO.: 03-271 is hereby ordered unsealed. All other matters pertaining to other witnesses filed under this criminal number shall remain under seal pending further order of the Court.

IT IS SO ORDERED.

DATED: _____, 2009

SUSAN ILLSTON
United States District Judge

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